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MICHAEL TERPIN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MICHAEL TERPIN,

Plaintiff,

v.

AT&T Mobility, LLC; and DOES 1-
25,

Defendants.

Case No. 2:18-cv-06975-ODW-KS
[Assigned to The Hon. Otis D. Wright II]

DISCOVERY MATTER

**SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF
MOTION OF PLAINTIFF
MICHAEL TERPIN RE ORDER
RESOLVING DISCOVERY ISSUES
IN DISPUTE**

[Central District Local Rule 37-2.3]

Hearing Date: September 21, 2022
Hearing Time: 10:00 a.m.
Discovery Cutoff: January 30, 2023
Pretrial Conference: April 10, 2023
Trial: May 2, 2023
Judge: Hon. Karen L. Stevenson

1 Plaintiff Michael Terpin (“Plaintiff”) hereby files his Supplemental
2 Memorandum in support of his opposition to AT&T’s motion to compel further
3 responses to Interrogatory No. 30 pursuant to Local Rule 37-2.3.

4 In addition to the arguments previously submitted, Defendant AT&T recently
5 took the deposition of Plaintiff Michael Terpin on September 1, 2022. AT&T
6 questioned Mr. Terpin for a full seven hours, including numerous and repetitive
7 questions relating to the subject matter of AT&T’s Interrogatory No. 30, which
8 states: “For each CRYPTOCURRENCY WALLET that YOU possessed from June
9 2017 to January 7, 2018, IDENTIFY ALL information RELATING TO
10 SECURITY MEASURES YOU implemented for that wallet, including, among
11 other things, the initial set-up of the wallet, the manner in which wallet access
12 credential were secured (e.g., via two-factor authentication or a password-protected
13 file), the location of any such wallet access credentials, and any recovery email
14 associated with the location in which the wallet access credentials were stored.”

15 To the extent that AT&T had follow up questions about Mr. Terpin’s detailed
16 response to Interrogatory No. 30, it had every opportunity to ask such questions if
17 additional inquiry was needed and important, and either asked its questions or
18 elected not to do so. Indeed, without running a clock on the various portions of the
19 deposition, it is conservatively estimated that at least several hours of the deposition
20 related to Plaintiff’s cryptocurrency wallets, credentials for such wallets, location of
21 wallet credentials and related questions.

22 Because AT&T has had a full opportunity to question Mr. Terpin at his
23 September 1, 2022 deposition regarding the subject matter of Interrogatory No. 30,
24 AT&T’s motion for further responses to Interrogatory No. 30 is moot and providing
25 additional responses to Interrogatory No. 30 would constitute a waste of time and
26 resources given the extensive testimony on this matter at Mr. Terpin’s deposition.

27 Plaintiff therefore respectfully requests that based on its portion of the Joint
28 Stipulation and the fact that AT&T has fully questioned Mr. Terpin extensively

1 under oath on the subject matter of Interrogatory No. 30 that the Court deny
2 AT&T's motion for further responses to Interrogatory No. 30.

3 DATED: September 7, 2022 GREENBERG GLUSKER FIELDS
4 CLAMAN & MACHTINGER LLP

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6 By: /s/Timothy J. Toohey

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